

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America )

v. )

Willie James Moffett )

Date of Previous Judgment: 3/24/99  
(Use Date of Last Amended Judgment if Applicable)

Case No: 3:97CR185-1

USM No: 06723-058 (original judgment had 13127-058)

Claire J. Rauscher & Tanzania Chevron Cannon-Eckerle

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 150 months is reduced to 123 months.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 37

Amended Offense Level: 35

Criminal History Category: VI

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Previous Guideline Range: 360 to life months

Amended Guideline Range: 292 to 365 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

☐ The reduced sentence is within the amended guideline range.

☒ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☐ Other (explain):

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 3/24/99 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: May 19, 2008

Effective Date: \_\_\_\_\_  
(if different from order date)



Graham C. Mullen  
United States District Judge

